761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: November 23, 2011
FILE NO:

OFFICE CORRESPONDENCE

FROM: JOSEPH S. HARTSHORNE, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: JOSEPH B. NUNEZ, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	FO2279637
Incident:	Use Of Force
Incident Date:	December 10, 2010
Unit:	Santa Clarita Station/ FOR I
Suspect:	Shawn Martin M/25
Involved Employees:	Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy Roxanne V. Boehme #[redacted] Deputy Gabriel J. Barlow #[redacted] Deputy [redacted] #[redacted] Sergeant Christopher W. Craft #[redacted]
EFRC Date:	November 10, 2011

On November 10, 2011, the Executive Force Review Committee consisting of Commander Joseph Hartshorne, Commander Michael Rothans, and Commander Eric Parra met and reviewed the above case.

FINDINGS:

The Committee determined that the force used by Deputies [redacted] Boehme, Barlow, [redacted] and Sergeant Craft was objectively reasonable and in compliance with Department Policy. The Committee also determined that the tactics used by deputies and sergeant were reasonable and within the scope of Department training.

RECOMMENDATIONS:

The Committee recommended the unit commander of Santa Clarita Station, Captain Paul Becker, direct his line supervisors and training staff to brief station personnel in the tactical use of communications equipment during high risk incidents.

IV2279637

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MISCELLANEOUS DOCUMENTS

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 910-19938-0644-058	Date: 12/ 10/10		Time: 1625 hours
Location: 23630 Valencia Blvd.	City or Station: Valencia		
Bureau/Station/Facility: Santa Clarita station	Admin. Investigation: YES ☐ NO ☒		
Type of Force: Significant/Less than Use of Force: Control Hold/Personal Weapons/ASP/O.C./Resisted Handcuffing/Complaint of Pain			
Deputy Injury : YES ☒ NO ☐	Suspect Injury YES ☒ NO ☐		
☒ Call	☐ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Michael Grimaldi	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: ☐ Male ☒ Female	Race: H	Unit of Assignment: Santa Clarita station	Work Assignment (Unit #, Module, etc.): 64A
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 505 / Weight: 138
☒ Injured ☒ Treated ☐ Admitted	Hospital: Henry Mayo Newhall Memorial	Coroner Case #	Directed Force ☐ Significant Force ☐

E2

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: Santa Clarita station	Work Assignment (Unit #, Module, etc.): 64
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 601 / Weight: 160
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐

E3

Employee # [redacted]	Last Name Craft	First Name Christopher	Middle Name W.
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: Santa Clarita station	Work Assignment (Unit #, Module, etc.): 60F2
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 601 / Weight: 220
☒ Injured ☒ Treated ☐ Admitted	Hospital: Henry Mayo Newhall Memorial	Coroner Case #	Directed Force ☐ Significant Force ☒

☒ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Peacock	Daniel	L..	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
[redacted]	Stanley	Daniel	J.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Jensen	Thomas	M.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lewis	Robert	J.

Watch Commander (**Print Name**) Teri Ruiz, Sergeant — Watch Commander's **Signature**: — Emp #: [redacted] — Date

Supervisor Completing Form: (**Print Name**) Captain Paul Becker — Emp #: — Copy Provided to Employee by: — Emp #:

Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only

FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
910-19938-0644-058

Involved Employee

E 4

Field	Value
Employee #	[redacted]
Last Name	[redacted]
First Name	[redacted]
Middle Name	[redacted]
Sex	☐ Male ☒ Female
Race	H
Unit of Assignment	Santa Clarita station
Work Assignment (Unit #, Module, etc.)	62A
Shift	☐ EM ☐ Day ☒ PM
	☒ Regular Shift ☐ OT Shift ☐ Off Duty
Age	[redacted]
Height	503
Weight	126
	☒ Injured ☒ Treated ☐ Admitted
Hospital	Henry Mayo Newhall Memorial
Coroner Case #	
Directed Force	☐
Significant Force	☐

E 5

Field	Value
Employee #	[redacted]
Last Name	Boehme
First Name	Roxanne
Middle Name	V.
Sex	☐ Male ☒ Female
Race	W
Unit of Assignment	Santa Clarita station
Work Assignment (Unit #, Module, etc.)	61A
Shift	☐ EM ☐ Day ☒ PM
	☒ Regular Shift ☐ OT Shift ☐ Off Duty
Age	[redacted]
Height	506
Weight	135
	☒ Injured ☒ Treated ☐ Admitted
Hospital	Henry Mayo Newhall Memorial
Coroner Case #	
Directed Force	☐
Significant Force	☐

E 6

Field	Value
Employee #	[redacted]
Last Name	Barlow
First Name	Gabriel
Middle Name	J.
Sex	☒ Male ☐ Female
Race	W
Unit of Assignment	Santa Clarita station
Work Assignment (Unit #, Module, etc.)	60F1
Shift	☐ EM ☐ Day ☒ PM
	☒ Regular Shift ☐ OT Shift ☐ Off Duty
Age	[redacted]
Height	603
Weight	190
	☐ Injured ☐ Treated ☐ Admitted
Hospital	
Coroner Case #	
Directed Force	☐
Significant Force	☐

E 7

Field	Value
Employee #	[redacted]
Last Name	[redacted]
First Name	[redacted]
Middle Name	[redacted]
Sex	☒ Male ☐ Female
Race	W
Unit of Assignment	Santa Clarita station
Work Assignment (Unit #, Module, etc.)	Station Detective
Shift	☐ EM ☒ Day ☐ PM
	☒ Regular Shift ☐ OT Shift ☐ Off Duty
Age	[redacted]
Height	510
Weight	180
	☐ Injured ☐ Treated ☐ Admitted
Hospital	
Coroner Case #	
Directed Force	☐
Significant Force	☐

E __

Field	Value
Employee #	
Last Name	
First Name	
Middle Name	
Sex	☐ Male ☐ Female
Race	
Unit of Assignment	
Work Assignment (Unit #, Module, etc.)	
Shift	☐ EM ☐ Day ☐ PM
	☐ Regular Shift ☐ OT Shift ☐ Off Duty
Age	
Height	
Weight	
	☐ Injured ☐ Treated ☐ Admitted
Hospital	
Coroner Case #	
Directed Force	☐
Significant Force	☐

Supervisor's Report on Use of Force
SUSPECT INFORMATION
910-19938-0644-058

Suspect Information

S 1

Last Name: Martin | First Name: Shawn | Middle Name: Terrence

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: | Home Phone: [redacted] | Age: 35 | Height: 602 | D.O.B. 08/01/75 | Weight: 210 | Armed? ☐

Booking #: 2574099 | Primary Charge Code: 245(C)P.C. | Secondary Charge Code: 459 P.C. | Criminal History [redacted]

EMT in attendance? ☒ YES ☐ NO Name: Jon Heller/Jason Leslie | Unit: 73 | Phone #: 661 254-9661

Hospital Admission? ☒ | Rec'd Treatment At: Henry Mayo Newhall Memorial | Coroner Case #: | Mental History ☐

By Doctor: Edgar A. Enriquez | Address: 23845 McBean Parkway, Valencia 91355 | Phone #: 661 253-1353

Under Influence: ☐ YES ☒ NO | Substance: | Mental Illness ☐

Suspect Interview

Date: 12-16-10 | Time: 1530 | ☒ Audiotape: | ☐ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S 2

Last Name: Kendall | First Name: Dominique | Middle Name: Anne

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☒ Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: | Home Phone: [redacted] | Age: 27 | Height: 503 | D.O.B. 05/24/83 | Weight: 135 | Armed? ☐

Booking #: 2574071 | Primary Charge Code: 459 P.C. | Secondary Charge Code: 487(A) P.C. | Criminal History [redacted]

EMT in attendance? ☐ YES ☒ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO | Substance: | Mental Illness: ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO | Substance: | Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
910-19938-0644-058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]	Middle Name		Age [redacted]	D.O.B.
Street Address Contact information retained by Santa Clarita station Detective David Campbell [redacted]	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
[redacted]	E#1	Martin	S#1	CT	NN	
Martin	S#1	[redacted]	E#1	UC,RS,PP,PK	ST	AK
[redacted]	E#4	Martin	S#1	PH	BR	FA
Martin	S#1	[redacted] Boehme	E#4, E#5	PK, PH	NN	
Boehme	E#5	Martin	S#1	RH	NN	
[redacted]	E#4	Martin	S#1	PH, PK	NN	
Martin	S#1	[redacted] Boehme	E#4, E#5	RS	NN	
Boehme	E#5	Martin	S#1	PH	NN	
Martin	S#1	Craft	E#3	PK	LC	HE
Craft	E#3	Martin	S#1	BC	FR	LE
Martin	S#1	[redacted] Boehme, Craft	E#4, E#5, E#3	RS	NN	
[redacted]	E#2	Martin	S#1	OC, PH, RH	CP	FA
Martin	S#1	Boehme	E#5	PP, PK	CP	HE
[redacted]	E#7	Martin	S#1	CT	NN	
Barlow	E#6	Martin	S#1	CT	NN	
Boehme	E#5	Martin	S#1	HB	NN	

Force Applied

Significant / Less Than Use of Force: CONTROL HOLDS / IMPACT WEAPON (ASP) / O.C. / PERSONAL WEAPONS / RESISTED HANDCUFFING / COMPLAINT OF PAIN

Incident Details

Refer to IAB Summary for details.

Report Use of Force by Involved Employee(s)

Refer to IAB Summary for details.

Witness Interview(s)

Refer to IAB Summary for details.

Suspect Interview(s)

Suspect Interview(s) Conducted by: ☐ **Watch Commander** ☐ **Supervising Sergeant**

Medical Review

Training & Tactical Review

☐ **Debriefing held to discuss training and tactical issues.**

Training and Tactical Review to be presented at the Executive Force Review Committee at a pending date and time.

Watch Commander's Review

Training and Tactical Review to be presented at the Executive Force Review Committee at a pending date and time.

Case Status

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SIGNIFICANT FORCE INCIDENT EVALUATION

UNIT: Santa Clarita Sheriff's Station
DATE: December 10, 2010, Friday
TIME: 1625 hours
LOCATION: DBA: Barnes & Noble
23630 Valencia Blvd., Valencia 91355
URN#: 910-19938-0644-058
IAB#: FO2279637

NATURE OF INCIDENT:

On December 10, 2010, at approximately 1625 hours, Santa Clarita Sheriff's Station deputies were involved in a Significant Use of Force incident with Suspect Shawn Martin (MB/08-01-75) after he attempted to steal merchandise from the Barnes & Noble then fled from the location and became involved in a fight with deputies.

> **IAB Note: For the Barnes & Noble surveillance video, refer to the CD in Exhibit G.**
>
> **IAB Note: For the radio traffic on the Barnes & Noble incident, refer to the CD in Exhibit G.**

Deputy [redacted] (Employee [redacted]) and Deputy [redacted] (Employee [redacted]) arrived at the Barnes & Noble bookstore regarding a Burglary in progress call. Deputy [redacted] contacted the manager in the music area while Deputy [redacted] contacted Suspect Martin. Suspect Martin was with a female companion, Suspect Dominique Kendall (FB/05-24-83). Suspect Martin threw the merchandise that he had secreted on his person, onto the floor. Deputy [redacted] grabbed Suspect Martin to conduct a pat down search of his person. Suspect Martin became uncooperative and kicked Deputy [redacted] leg. Suspect Martin broke free from Deputy [redacted] grasp and began to run.

Deputy [redacted] ran toward the suspect in an attempt to grab him. The suspect was able to flee from Deputy [redacted] out of the music area and ran past assisting units Deputy Christopher Craft (Employee [redacted]) and Deputy [redacted] (Employee [redacted]) as they entered the store.

Deputy Craft requested assistance indicating he and Deputy [redacted] were in a foot pursuit

of Suspect Martin. Deputy [redacted] and Deputy [redacted] detained Suspect Kendall in the store.

IAB Note: For a copy of the Foot Pursuit Evaluation Form, refer to Exhibit B.

Suspect Martin ran through the parking lot and across Magic Mountain Parkway into an apartment complex. Suspect Martin jumped over a retaining wall and ran southbound and out of sight.

Deputy Craft directed the responding units to the area where Suspect Martin was last seen. Deputy Craft and Deputy [redacted] began searching the area on foot southbound into the apartment complex.

Deputy [redacted] (Employee [redacted]) and Deputy Roxanne Boehme (Employee [redacted]) responded to Deputy Craft's assistance request and were searching the apartment complex in their radio cars. They saw Suspect Martin in the northwest area of the complex running southbound. They ordered Suspect Martin to stop, but he refused. Deputies [redacted] and Boehme stopped their patrol cars and initiated a foot pursuit of Suspect Martin. Deputy Boehme and Deputy [redacted] attempted to broadcast over the radio that they were in a foot pursuit of the suspect, but were unrecognized by SCC.

Deputies [redacted] and Boehme pursued Suspect Martin approximately 100 yards when Martin attempted to scale a block wall in the south end of the complex. Deputies [redacted] and Boehme ordered Suspect Martin to stop and get on the ground. Martin refused and again attempted to climb over the block wall. Deputy [redacted] grabbed Suspect Martin by the waistband area of his pants and they both fell to the ground.

Suspect Martin began to kick and swing his arms at the deputies, refusing to comply when given orders to stop fighting. Deputy Boehme was able to handcuff one of Suspect Martin's wrists. Deputy [redacted] punched Suspect Martin in the face while Deputy Boehme attempted to gain control of his hands. Suspect Martin placed his other hand underneath his chest to avoid being handcuffed. Deputy Boehme punched Martin 3-4 times in the ribs to get him to give up his uncuffed hand. Martin did not comply. Deputy Boehme and Deputy [redacted] attempted to broadcast over the radio that they were involved in a fight and were unrecognized by SCC.

Deputy Craft arrived and attempted to gain control of Suspect Martin's legs. Suspect Martin kicked Deputy Craft causing a ½ inch laceration to the top of his head. Deputy Craft became dizzy and felt blood dripping from his head. He immediately backed away and retrieved his ASP from his gun belt. Deputy Craft then struck Suspect Martin 5-7 times in the lower legs with his extended ASP.

Deputy [redacted] arrived and saw the deputies struggling with Suspect Martin. Deputy [redacted] noticed Deputy Craft bleeding from his head. Suspect Martin was pushing his

body upward to try and get away. Deputy [redacted] deployed his O.C. canister and sprayed Suspect Martin 2-3 times in the face, with no affect. Deputy [redacted] attempted to gain control of Martin's hands and arms. Martin continued to pull away. Deputy [redacted] punched Suspect Martin 3-4 times on his right side. Deputy [redacted] then kicked Suspect Martin twice in the rib area. Deputy [redacted] was able to grab Martin's loose hand and handcuff it.

Suspect Martin continued to struggle. He bucked his body causing Dep. Boehme to strike her head against the block wall. Suspect Martin continued to kick his legs. Deputy [redacted] (Employee [redacted] placed his knee onto Suspect Martin's left shoulder and Deputy Gabriel Barlow (Employee [redacted] held Martin's legs down while Deputy Boehme applied the hobble restraint to Martin's ankles.

Suspect Martin was examined at the scene by Los Angeles County Fire Paramedics and was subsequently transported to Henry Mayo Newhall Memorial Hospital in Valencia for further evaluation by Dr. Edgar A. Rodriguez under Patient # [redacted] for contusions to his head, face, right hip, left leg and a broken nose. He complained of pain to his left rib cage and was admitted for internal bleeding to his left calf.

> **IAB Note: For a copy of S/Martin's medical records, refer to Exhibit C.**
>
> **IAB Note: For a copy of the incident report (File# 910-19938-0644-058) dated 12-10-10 written by Deputy C.S. Lopez, refer to Exhibit A.**
>
> **IAB Note: For a copy of deputy personnel's supplementary reports on their respective use of force, refer to Exhibit A.**

Internal Affairs Bureau Lieutenant Mike Grimaldi was notified and Sergeants Irma Chevalier and Frank Quichocho responded to Santa Clarita Sheriff's Station to conduct an administrative review of the incident.

The following deputy personnel reported the following use of force:

Deputy [redacted]: Control Hold (Firm Grip).

Deputy [redacted] Personal Weapon (fist), Less Lethal Weapon (O.C.), Resisted handcuffing.

Deputy Craft: Impact Weapon (ASP).

Deputy [redacted] Personal Weapon (fist, knee, kick).

Deputy Boehme: Control Hold (body weight), Personal Weapon (fist), Hobble Restraint, Resisted handcuffing.

Deputy Barlow: Control Holds (secured legs).

Deputy [redacted] Control Holds (utilized knee to pin left shoulder down).

The following review is based on written documentation, witness interviews, and interview with involved deputies.

<u>INVOLVED PERSONNEL</u>:

[redacted] - Deputy Sheriff, Employee [redacted]
Santa Clarita Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

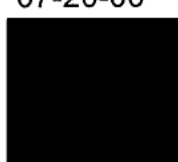
Date of Employment: 09-14-05
Date Assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:


[redacted]

[redacted] - Deputy Sheriff, Employee [redacted]
Santa Clarita Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

Date of Employment: 07-20-00
Date Assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

Craft, Christopher W. - Sergeant, Employee [redacted]
Santa Clarita Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

Date of Employment: 02-11-02
Date Assigned to Patrol: [redacted]

Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents: [redacted]



[redacted] - Deputy Sheriff, Employee [redacted]
Santa Clarita Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

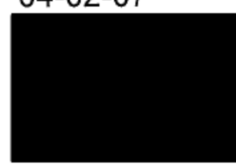
Date of Employment: 08-04-04
Date Assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents: [redacted]



Boehme, Roxanne V. Deputy Sheriff, Employee [redacted]
Santa Clarita Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

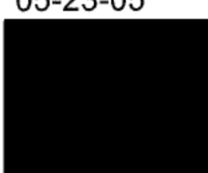
Date of Employment: 04-02-07
Date Assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents: [redacted]



Barlow, Gabriel J. - Deputy Sheriff, Employee [redacted]
Santa Clarita Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

Date of Employment: 05-23-05
Date Assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents: [redacted]



[redacted] - Deputy Sheriff, Employee [redacted]
Palmdale Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

Date of Employment: 02-14-86
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incidents: 01-14-05
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT:

Martin, Shawn Terrence, MB/35, Booking #2574099, DOB: 08-01-75
[redacted]
Booking Charges: 245(C) P.C., 459 P.C., 487(A) P.C.
Main: [redacted] CII: [redacted] CDL: [redacted] FBI: [redacted]

Involved Suspect Criminal History:

A review of the suspect's [redacted] Refer to the CCHRS and RAPS printouts included under **Exhibit A**.

DEPARTMENT EMPLOYEE WITNESSES:

None.

NON-DEPARTMENT WITNESSES:

1. [redacted] **MW/A -** [redacted] (contact information retained by Santa Clarita Station Detective David Campbell [redacted]

INJURIES:

Deputy [redacted] sustained a sprained left ankle.
Deputy Craft sustained a ½ inch laceration to the top of his head.
Deputy [redacted] sustained a strained right hand.
Deputy Boehme sustained minor head trauma and scratches to her arms.

Suspect Martin sustained contusions to his head, face, right hip, left leg and a broken nose. He complained of pain to his left rib cage and was admitted to Henry Mayo Newhall Hospital for internal bleeding to his left calf which required surgery.

PHYSICAL EVIDENCE:

CD's of video surveillance footage depicting the burglary incident.
Numerous stolen DVD's and videos recovered from the suspect's vehicle.
UPC security labels removed from Barnes & Noble merchandise by the suspects and thrown in a trash container, witnessed by store employees.

Refer to the incident report in Exhibit A for details.

INVESTIGATOR'S OBSERVATIONS:

None.

WEAPON USED BY DEPUTY PERSONNEL:

Impact weapon (expandable baton), Control holds (control techniques), Personal weapons (body, hands, fists, knee, foot), O.C., Resisted handcuffing.

WEAPON USED BY SUSPECT:

Uncooperative, Resistance, Personal weapons (body, fists, legs, feet).

PROPERTY DAMAGE:

None.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Detective Lucas W. Darland [redacted]

Court: San Fernando Superior Court Case# PA06777702

Charges Filed: 245(C)P.C. - Assault on a Peace Officer
459P.C. - Burglary

Next Court Date: September 19, 2011

LIGHTING AND WEATHER CONDITIONS:

The incident occurred during day time hours. The weather was cool and clear.

INVOLVED EMPLOYEE STATEMENTS:

DEPUTY [redacted] **Employee** [redacted] was interviewed on December 11,

2010, by Internal Affairs Bureau Sergeants Irma Chevalier and Frank Quichocho. The interview took place at Santa Clarita Sheriff's Station and was digitally recorded. The following is a summary:

Deputy [redacted] was loading her vehicle at the start of shift when she received a theft call at the Barnes and Noble Bookstore across the street from the station. Deputy [redacted] responded with her partner, Deputy [redacted], who was driving his own vehicle. As Deputy [redacted] exited the station driveway, the call was upgraded to a burglary in progress. Sheriff's Communication Center (SCC) requested her ETA.

Deputy [redacted] acknowledged the call and advised that she and Unit 64 (Deputy [redacted]) had arrived at the location. She said she did not initiate coordination of the patrol units that were responding to the location due to her short arrival time.

When Deputies [redacted] and [redacted] entered the Barnes & Noble bookstore, a female [redacted] directed them to the [redacted] who was standing in the double doorway between the bookstore and the music section in the northeast area of the store. Deputy [redacted] said as she walked through the store, she swung out a bit wider a few aisles to the right, looked back, and saw Deputy [redacted] talking to [redacted] She told Deputy [redacted] "[redacted] come and take the left." [redacted] said, "Okay," and he started walking.

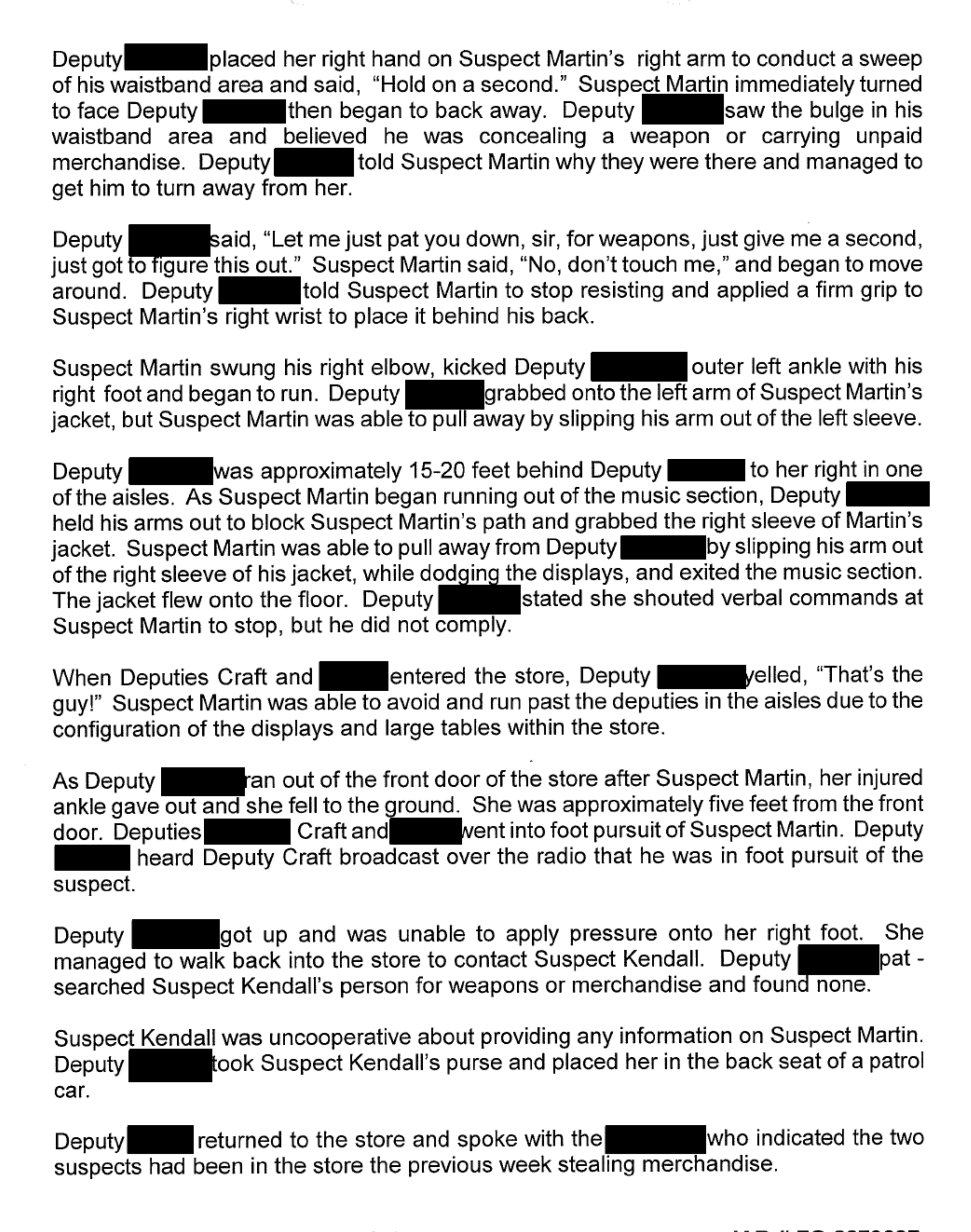
Deputy [redacted] saw the [redacted] waving at her. The [redacted] pointed to the suspects and said, "Yeah, they're right there."

Deputy [redacted] saw a male black (Suspect Martin) and female black (Suspect Kendall) with their backs to her standing in the east corner. Suspect Martin was wearing a black jacket with a small green and white stripe down the arms and blue jeans. Suspect Kendall was wearing a green low v-neck dress with a dark colored jacket and a dark blue bandana on her head.

Deputy [redacted] looked to her right, saw Deputy [redacted] with the [redacted] and said, "Okay, lets go talk to him."

When Deputy [redacted] walked through the doorway into the music section, she turned right into an aisle, then left through another aisle to get to where the suspects were standing. Deputy [redacted] believed Deputy [redacted] was somewhere behind her in another aisle to block off the exit.

As Deputy [redacted] approached the suspects, Suspect Martin looked over his right shoulder and began fidgeting with his waistband area under his shirt. Deputy [redacted] saw Suspect Martin set Blu-ray DVD's down on the display in front of him. Deputy [redacted] said, "There's no use trying to hide it, we already saw you on the surveillance camera." Suspect Martin kept his back to Deputy [redacted] and said, "I don't know what you're talking about, I didn't do anything." While Suspect Kendall was facing Deputy [redacted], she stated, "We didn't do anything."



Deputy [redacted] placed her right hand on Suspect Martin's right arm to conduct a sweep of his waistband area and said, "Hold on a second." Suspect Martin immediately turned to face Deputy [redacted] then began to back away. Deputy [redacted] saw the bulge in his waistband area and believed he was concealing a weapon or carrying unpaid merchandise. Deputy [redacted] told Suspect Martin why they were there and managed to get him to turn away from her.

Deputy [redacted] said, "Let me just pat you down, sir, for weapons, just give me a second, just got to figure this out." Suspect Martin said, "No, don't touch me," and began to move around. Deputy [redacted] told Suspect Martin to stop resisting and applied a firm grip to Suspect Martin's right wrist to place it behind his back.

Suspect Martin swung his right elbow, kicked Deputy [redacted] outer left ankle with his right foot and began to run. Deputy [redacted] grabbed onto the left arm of Suspect Martin's jacket, but Suspect Martin was able to pull away by slipping his arm out of the left sleeve.

Deputy [redacted] was approximately 15-20 feet behind Deputy [redacted] to her right in one of the aisles. As Suspect Martin began running out of the music section, Deputy [redacted] held his arms out to block Suspect Martin's path and grabbed the right sleeve of Martin's jacket. Suspect Martin was able to pull away from Deputy [redacted] by slipping his arm out of the right sleeve of his jacket, while dodging the displays, and exited the music section. The jacket flew onto the floor. Deputy [redacted] stated she shouted verbal commands at Suspect Martin to stop, but he did not comply.

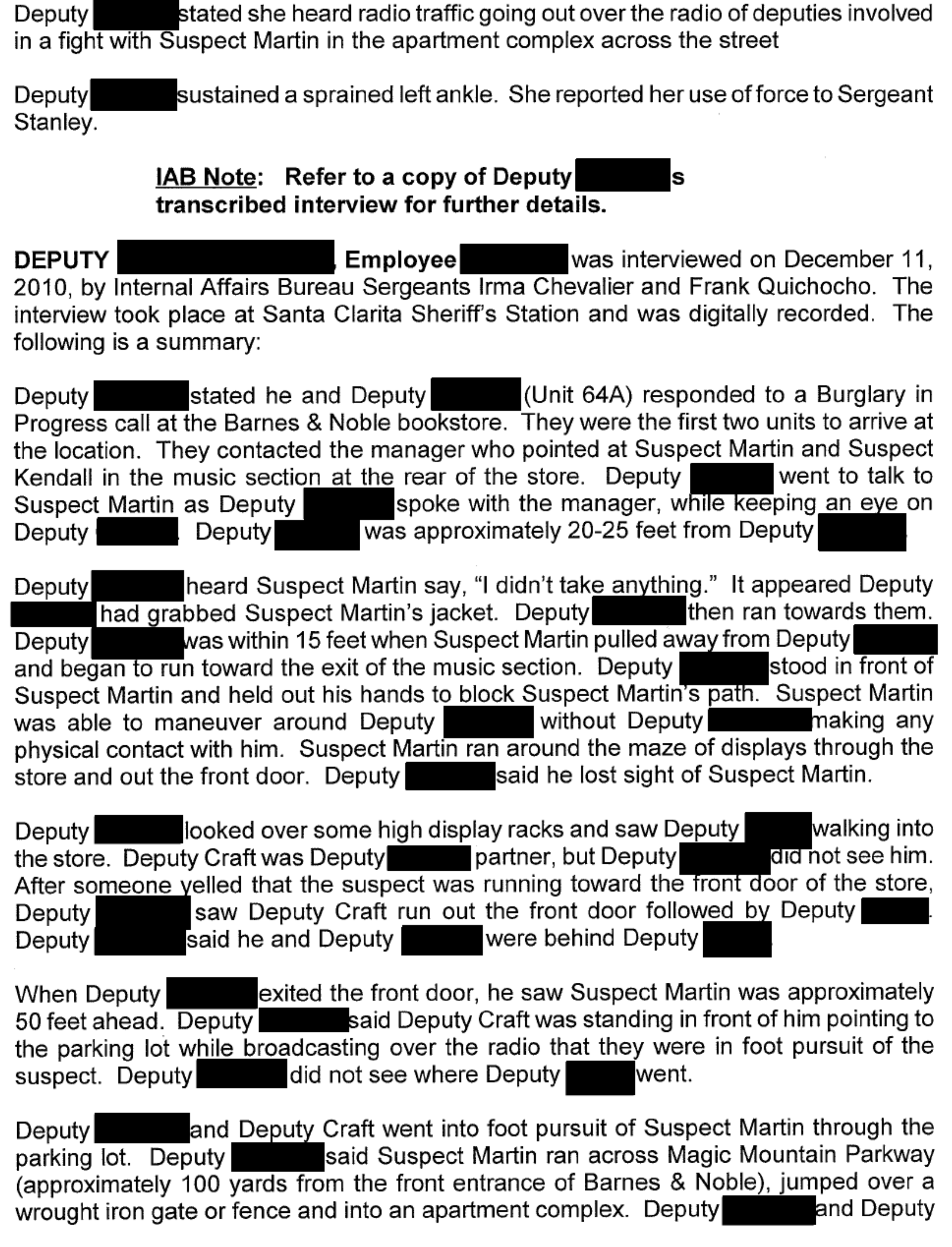
When Deputies Craft and [redacted] entered the store, Deputy [redacted] yelled, "That's the guy!" Suspect Martin was able to avoid and run past the deputies in the aisles due to the configuration of the displays and large tables within the store.

As Deputy [redacted] ran out of the front door of the store after Suspect Martin, her injured ankle gave out and she fell to the ground. She was approximately five feet from the front door. Deputies [redacted] Craft and [redacted] went into foot pursuit of Suspect Martin. Deputy [redacted] heard Deputy Craft broadcast over the radio that he was in foot pursuit of the suspect.

Deputy [redacted] got up and was unable to apply pressure onto her right foot. She managed to walk back into the store to contact Suspect Kendall. Deputy [redacted] pat - searched Suspect Kendall's person for weapons or merchandise and found none.

Suspect Kendall was uncooperative about providing any information on Suspect Martin. Deputy [redacted] took Suspect Kendall's purse and placed her in the back seat of a patrol car.

Deputy [redacted] returned to the store and spoke with the [redacted] who indicated the two suspects had been in the store the previous week stealing merchandise.



Deputy [redacted] stated she heard radio traffic going out over the radio of deputies involved in a fight with Suspect Martin in the apartment complex across the street

Deputy [redacted] sustained a sprained left ankle. She reported her use of force to Sergeant Stanley.

> **<u>IAB Note</u>: Refer to a copy of Deputy [redacted]s transcribed interview for further details.**

DEPUTY [redacted], Employee [redacted] was interviewed on December 11, 2010, by Internal Affairs Bureau Sergeants Irma Chevalier and Frank Quichocho. The interview took place at Santa Clarita Sheriff's Station and was digitally recorded. The following is a summary:

Deputy [redacted] stated he and Deputy [redacted] (Unit 64A) responded to a Burglary in Progress call at the Barnes & Noble bookstore. They were the first two units to arrive at the location. They contacted the manager who pointed at Suspect Martin and Suspect Kendall in the music section at the rear of the store. Deputy [redacted] went to talk to Suspect Martin as Deputy [redacted] spoke with the manager, while keeping an eye on Deputy [redacted]. Deputy [redacted] was approximately 20-25 feet from Deputy [redacted].

Deputy [redacted] heard Suspect Martin say, "I didn't take anything." It appeared Deputy [redacted] had grabbed Suspect Martin's jacket. Deputy [redacted] then ran towards them. Deputy [redacted] was within 15 feet when Suspect Martin pulled away from Deputy [redacted] and began to run toward the exit of the music section. Deputy [redacted] stood in front of Suspect Martin and held out his hands to block Suspect Martin's path. Suspect Martin was able to maneuver around Deputy [redacted] without Deputy [redacted] making any physical contact with him. Suspect Martin ran around the maze of displays through the store and out the front door. Deputy [redacted] said he lost sight of Suspect Martin.

Deputy [redacted] looked over some high display racks and saw Deputy [redacted] walking into the store. Deputy Craft was Deputy [redacted] partner, but Deputy [redacted] did not see him. After someone yelled that the suspect was running toward the front door of the store, Deputy [redacted] saw Deputy Craft run out the front door followed by Deputy [redacted]. Deputy [redacted] said he and Deputy [redacted] were behind Deputy [redacted].

When Deputy [redacted] exited the front door, he saw Suspect Martin was approximately 50 feet ahead. Deputy [redacted] said Deputy Craft was standing in front of him pointing to the parking lot while broadcasting over the radio that they were in foot pursuit of the suspect. Deputy [redacted] did not see where Deputy [redacted] went.

Deputy [redacted] and Deputy Craft went into foot pursuit of Suspect Martin through the parking lot. Deputy [redacted] said Suspect Martin ran across Magic Mountain Parkway (approximately 100 yards from the front entrance of Barnes & Noble), jumped over a wrought iron gate or fence and into an apartment complex. Deputy [redacted] and Deputy

Craft stood on the south curb line to direct the responding units to the area where they last saw Suspect Martin.

Deputy [redacted] and Deputy Craft then responded to the area where they last saw Suspect Martin jump the fence and began to search the apartment grounds. Deputy [redacted] heard radio traffic indicating Suspect Martin was being detained, but did not provide an exact location. Deputy [redacted] and Deputy Craft continued searching within the apartment complex.

Deputy [redacted] saw deputies from approximately 50 feet away next to one of the apartments at [redacted] struggling with Suspect Martin. Suspect Martin was face down on the ground in the bushes by the south wall. Deputies [redacted] and Boehme were on top of Suspect Martin trying to gain control of his hands. Suspect Martin was struggling by trying to turn and flip the deputies off of him while flailing his arms and kicking at them.

As Deputy [redacted] approached the scene, he noticed Deputy Craft was among one of the deputies and was bleeding from his head.

Deputy [redacted] gave a warning to Suspect Martin that if he did not stop fighting, he was going to be sprayed. While Suspect Martin was face down, Deputy [redacted] reached down and sprayed a burst of O.C. spray to one side of Suspect Martin's face and when Martin turned his face, Deputy [redacted] sprayed the other side. The O.C. spray seemed to have little effect on Suspect Martin as he continued to move his head around and flail his arms at the deputies who were trying to gain control of him.

The deputies repeatedly ordered Suspect Martin to stop fighting and resisting. Deputy [redacted] grabbed Suspect Martin's hands and arms in an attempt to handcuff him, but Suspect Martin continued to resist and pull away. Deputy [redacted] said he punched Suspect Martin 3-5 times in the right rib area of his back.

Deputy [redacted] said he felt Deputy Craft strike the back of his ([redacted]) left hand with the baton, but did not see Deputy Craft strike Suspect Martin with the baton. Deputy [redacted] also saw several deputies kick and punch Suspect Martin, but did not know who did what due to the melee.

Deputy [redacted] said one handcuff was placed on Suspect Martin's right wrist and he was able to grab and pull Suspect Martin's left arm over to handcuff the left wrist. Deputy Boehme completed the handcuffing. Deputy [redacted] stated the hobble restraint was applied to Suspect Martin's ankles due to him kicking his feet.

Deputy [redacted] reported his use of force to Sergeant Stanley.

> **<u>IAB Note</u>: Refer to a copy of Deputy [redacted] transcribed interview for further details.**

DEPUTY CHRISTOPHER CRAFT, Employee [redacted] was interviewed on July 27, 2011, by Internal Affairs Bureau Sergeant Teri Ruiz. The interview took place at Santa Clarita Sheriff's Station and was digitally recorded. The following is a summary:

Deputy Craft stated he responded to the Barnes & Noble bookstore on a Burglary in Progress call along with his partner, Deputy [redacted]. Deputy Craft believes he was the third patrol unit to arrive. When Deputy Craft entered the store, an employee told him that the first two deputies who arrived were at the rear of the store talking to the suspects. As Deputy Craft and Deputy [redacted] began walking toward the rear of the store, Deputy Craft said he heard some yelling. He then heard Deputy [redacted] yell at the suspect to stop running as the suspect ran past Deputy Craft and Deputy [redacted] toward the front doors of the store. Deputy Craft stated he and Deputy [redacted] were approximately 20 feet inside the store when Suspect Martin ran past them.

Deputy Craft stated Deputy [redacted] was running approximately 10 feet behind Suspect Martin in the store. As the suspect approached the front doors of the store, Deputy Craft jumped in behind Suspect Martin and both he and Deputy [redacted] went into foot pursuit of Suspect Martin. Once outside the store, Deputy Craft requested assistance via his hand-held radio for additional deputies to respond.

Deputy Craft and Deputy [redacted] ran south approximately 20 feet behind Suspect Martin through the parking lot toward the North Glen apartments. Suspect Martin ran across Magic Mountain Parkway causing the heavy eastbound traffic to slam on their brakes to avoid hitting him. Suspect Martin was approximately 40 feet ahead of the deputies and a distance of approximately 100 yards from the Barnes and Noble bookstore.

Deputy Craft stated when Suspect Martin reached the apartment complex, he saw Suspect Martin jump over a five foot cinder block/wrought iron fence, landing head first onto the other side and rolled onto the ground. Suspect Martin immediately stood up and continued running toward the south end of the complex.

Deputy Craft said after he and Deputy [redacted] safely crossed Magic Mountain Parkway, they jumped the same cinder block/wrought iron fence into the apartment complex. Deputy Craft lost sight of Suspect Martin for approximately 30 seconds when Martin ran behind one of the apartment buildings. Deputy Craft then directed the responding patrol units to the area where Suspect Martin was last seen.

> **<u>IAB Note</u>: For "Google" map #A marked by Deputy Craft, refer to Exhibit D. Deputy Craft marked an "X" identifying where Suspect Martin jumped the cinder block/wrought iron fence along Magic Mountain Parkway.**

Deputy Craft and Deputy [redacted] began running south into the apartment complex. Deputy Craft stated he walked east around a building as Deputy [redacted] walked the west

side.

As Deputy Craft rounded a building, he saw two radio cars stopped. When he looked further south, he saw two female deputies fighting and wrestling on the ground with Suspect Martin at the south wall of the complex behind some bushes. The wall was cinder block and approximately 7-8 feet high. Deputy Craft saw Deputy [redacted] attempting to hold Suspect Martin's upper body down and Deputy Boehme was positioned at Martin's stomach area attempting to place his hands behind his back.

When Deputy Craft approached them, he saw Suspect Martin lying somewhat on his left side in a narrow area throwing punches, kicking, and attempting to get up off the ground. The ground between the bushes and the wall was dirt and approximately 2 feet wide.

Deputy Craft said he attempted to grab at Suspect Martin's legs when Martin kicked him in the right side of his head. Deputy Craft felt dizzy and blood running down his face. Deputy Craft took a few steps back and removed his ASP from his belt. Deputy Craft stated Suspect Martin was yelling and cursing a lot while violently trying to get away. Deputy Craft said he struck Suspect Martin in the lower legs (shin area) 5-7 times with the ASP to get him to stop kicking. When Suspect Martin stopped kicking, Deputy Craft knelt down and held Martin's legs down until another deputy arrived and took over his position. Suspect Martin was eventually handcuffed.

Deputy Craft recalls Suspect Martin had jerked his body upward causing Deputy Boehme to be thrown off and strike the left side of her head against the block wall.

Deputy Craft sustained a ½ laceration to the top of his head. He reported his use of force to Sergeant Stanley.

> **<u>IAB Note</u>: For photos of Deputy Craft's injuries, refer Exhibit E.**

> **<u>IAB Note</u>: Refer to a copy of Deputy Craft's transcribed interview for further details.**

DEPUTY [redacted], Employee #[redacted], was interviewed on July 27, 2011, by Internal Affairs Bureau Sergeant Teri Ruiz. The interview took place at Santa Clarita Sheriff's Station and was digitally recorded. The following is a summary:

Deputy [redacted] stated she was in the station when she heard an assistance request over the radio from Deputy Craft indicating he was in foot pursuit of a 459 suspect at the Barnes & Noble.

When Deputy [redacted] neared the Barnes & Noble, she saw Deputy Craft running southbound through the Barnes & Noble parking lot chasing after a male black matching the description of the suspect he described over the radio. Deputy [redacted] saw

Suspect Martin run across Magic Mountain Parkway and jump a fence into the apartment complex. She then lost sight of him.

Deputy [redacted] entered the driveway of the apartment complex and turned west at the first roadway. Within seconds, she saw Suspect Martin running southbound through the apartment complex. Deputy [redacted] noticed Deputy Boehme's patrol car behind her. Deputy [redacted] drove up to Suspect Martin with him directly in front of her vehicle's push bar and shouted verbal commands at Martin to stop and get on the ground. Suspect Martin refused and kept running southbound.

> **<u>IAB Note</u>: For "Google" map #C marked by Deputy [redacted], refer to Exhibit D. Deputy [redacted] marked an arrow indicating which driveway off of Magic Mountain Parkway she entered into the apartment complex. Deputy [redacted] circled the area where she saw the suspect running southbound. Deputy [redacted] marked an "X" where she and Deputy Boehme exited their vehicles and initiated the foot pursuit.**

Deputy [redacted] and Deputy Boehme followed Suspect Martin southbound to the end of the roadway. They exited their vehicles and went into foot pursuit. Deputy [redacted] indicated she advised (Deputy [redacted] was later told that she was transmitting on direct) SCC that they were in foot pursuit and provided the direction of travel. Deputy [redacted] and Deputy Boehme chased Suspect Martin eastbound alongside the south wall of the apartment complex approximately 100 yards.

Suspect Martin stopped and attempted to scale the 6 foot block wall while the deputies were giving him multiple commands to stop, lie on his stomach and place his arms behind his back. There were 3-4 foot high bushes aligning the block wall with a 1-2 foot dirt clearance. Suspect Martin was in the dirt.

Deputy [redacted] stated she was 5 feet from Suspect Martin when she pulled her weapon out of her holster as he attempted to scale the block wall. Deputy Boehme was pointing her weapon at Suspect Martin.

Suspect Martin ignored their commands and attempted to jump the wall a second time. Deputy [redacted] holstered her weapon and grabbed Suspect Martin by the waistband of his pants. They both fell to the ground. Suspect Martin landed on his back and Deputy [redacted] landed on her knee.

Again, the deputies gave Suspect Martin multiple commands to place his arms behind his back. He refused and began to fight by swinging his arms and kicking. Deputy [redacted] punched Martin in the face approximately 5-8 times while Deputy Boehme attempted to gain control of his hands. Deputy [redacted] stated she relayed over the radio that they

were involved in a fight.

Deputy [redacted] stated they struggled with Suspect Martin for approximately one minute when Deputy Craft arrived and attempted to gain control of Suspect Martin's legs. Suspect Martin continued to violently kick and swing his fists at them. During the struggle, they were able to turn Suspect Martin face down. Suspect Martin then attempted to stand up by "bucking" upward causing Deputy Boehme to hit her head against the block wall behind her.

Deputy [redacted] struck Suspect Martin 2-4 times in the face with her right knee. Suspect Martin continued to kick. One of the kicks struck Deputy Craft in the head causing it to bleed.

Deputy [redacted] stated Suspect Martin laid on his right side and held his right arm underneath him. Deputy [redacted] arrived and gave Martin verbal commands to stop fighting and place his hands behind his back. Suspect Martin refused. Deputy [redacted] then deployed a 3-4 second burst of O.C. spray to Martin's face. It had no affect. Suspect Martin continued to fight.

Deputy [redacted] stood up and kicked Suspect Martin twice in the rib area. Deputy Boehme and Deputy [redacted] were able to handcuff Suspect Martin.

Deputy [redacted] sustained a strained right hand. She reported her use of force to Sergeant Stanley.

> **<u>IAB Note</u>: Refer to a copy of Deputy [redacted] transcribed interview for further details.**

DEPUTY ROXANNE BOEHME, Employee [redacted] was interviewed on January 20, 2011, by Internal Affairs Bureau Sergeant Teri Roberts. Deputy Boehme was represented by Green & Shinee, Attorney Debra Wadleigh. The interview took place at the Internal Affairs Bureau in interview room #A, and was digitally recorded. The following is a summary.

Deputy Boehme stated she was at the station at the beginning of her shift when she heard a Petty Theft now call at the Barnes & Noble broadcasted over the radio. The call was then upgraded to a Burglary in progress call. She listened to the radio and believed there were sufficient units on scene.

Deputy Boehme then heard Deputy Craft over the radio indicate that he was involved in a foot pursuit, gave Suspect Martin's physical description and that the suspect was running toward the apartment complex across the street.

Knowing the Barnes & Noble was across the street from the station, Deputy Boehme responded to assist. She drove into the parking lot of the Barnes & Noble and saw

Deputy Craft at the end of the parking lot. He was transmitting on the radio over the patch that he was in foot pursuit and she saw him point towards the apartment complex across the street from the Barnes & Noble.

Deputy Boehme stated she does not remember a containment being set up over the radio. She heard people talking over each other.

Deputy Boehme drove across the street over the median and into the driveway of the apartment complex. She turned right toward a dead end and saw Deputy [redacted] patrol vehicle parked at the dead end. Deputy [redacted] was exiting her vehicle with her duty weapon and pointing it in the direction of a block wall. Deputy Boehme looked in that direction and saw a male matching the description of the Barnes & Noble burglary suspect (Suspect Martin). Deputy Boehme saw Suspect Martin run away from Deputy [redacted]

Deputy [redacted] and Deputy Boehme backed their patrol vehicles out of the dead end and parked their vehicles closer to where Suspect Martin was running. Deputies [redacted] and Boehme initiated a foot pursuit of Suspect Martin. They attempted to broadcast that they were in foot pursuit of the suspect, but only heard deputies talking over each other on the radio and did not know if their transmission was recognized by SCC.

> **IAB Note: For the "Google" map marked "B" and Deputy Boehme's diagram of the Barnes & Noble and the apartment complex, refer to Exhibit D.**

Deputy Boehme said they were in foot pursuit for approximately 10 seconds. They ran with their weapons at their sides and pointed their weapons at Suspect Martin repeatedly ordering him to show his hands and get on the ground. Suspect Martin looked at the deputies and appeared as though he understood their commands, but continued running.

Deputy Boehme stated that when they approached a six foot block wall, she saw Suspect Martin attempting to climb over it. Suspect Martin acted like he did not know why the deputies were there. Suspect Martin said, "What are you guys doing?"

There were bushes along the wall lining the sidewalk. The gap between the bushes and the block wall where Suspect Martin was trying to scale the wall was approximately two feet. Suspect Martin had one leg over the wall and was attempting to pull the rest of his body over. Again, Suspect Martin did not comply with the deputies' orders to show his hands and get on the ground.

Deputy Boehme stated Deputy [redacted] holstered her weapon and grabbed the end of Suspect Martin's shirt causing him to fall to the ground. Suspect Martin fell onto his side facing the wall. Deputy Boehme said she was approximately five feet away from them when she holstered her weapon because she did not want Deputy [redacted] to be in her

line of fire.

Suspect Martin then immediately tried to get up and flee. Deputy [redacted] was positioned at Suspect Martin's upper body as Deputy Boehme approached his feet. They repeatedly told Suspect Martin to stop fighting, get on the ground and to give them his hands. Suspect Martin did not comply and continued to struggle with them and kick Deputy Boehme. Together, they were able to turn Suspect Martin onto his stomach.

Deputy Boehme stated they both broadcasted their location over the radio, but did not hear an acknowledgment from SCC.

Deputy Boehme utilized her body weight to hold Suspect Martin's legs down while they tried to gain control of his hands to handcuff him. Suspect Martin tucked his right arm beneath his stomach as he continued to flail his left arm. Deputy Boehme said she was struck by Suspect Martin a few times in the upper torso while he was swinging his left arm.

Deputy Boehme was finally able to handcuff Suspect Martin's left wrist and place it behind his back. Deputy Boehme saw Deputy [redacted] punch Suspect Martin in the face twice. She also kicked Suspect Martin in the rib area. The blows did not affect Suspect Martin.

When Deputy Boehme ordered Suspect Martin to give her his right hand, he refused. Deputy Boehme then punched Suspect Martin 3-4 times in the rib area with her left hand to get him to surrender his right hand. Deputy Boehme stated the blows did not seem to affect Suspect Martin. She indicated he was very strong.

After struggling with Suspect Martin for approximately one minute, Deputies Craft and [redacted] arrived at the scene and assisted in trying to control Suspect Martin.

Deputy Boehme stated she smelled the odor of O.C. spray in the air. She did not know whether Deputy Craft or Deputy [redacted] had deployed it, nor, did she hear anyone give a fore warning of the deployment.

The pepper spray did not seem to affect Suspect Martin. A deputy assisted her in handcuffing Suspect Martin's right hand and placing both arms behind his back.

Deputy Boehme was positioned near the lower part of Suspect Martin's body. Suspect Martin attempted to roll himself over while he violently kicked his legs toward Deputy Boehme. Deputy Boehme then placed her knees onto the back of his legs, utilizing her body weight to keep him from kicking and injuring her and the other deputies.

Suspect Martin was handcuffed and continued to struggle with the deputies. Deputy Boehme did not feel they had control of Suspect Martin. Additional deputies arrived, but Deputy Boehme was not able to see what they were doing to assist because she was focused on keeping Suspect Martin's legs down.

Deputy Boehme indicated Suspect Martin shifted his body and threw her off of him. She fell backwards and struck her head against the wall causing her to black out for a couple of seconds. When Deputy Boehme came to, she felt dizzy and confused. She noticed she was near Suspect Martin's feet and heard someone say they needed to hobble the suspect.

Deputy Boehme stated Deputy Barlow assisted her in applying the hobble restraint to Suspect Martin's ankles. Suspect Martin was then lifted up and away from the bushes. He was placed on his side for Paramedics to examine and treat him.

Deputy Boehme stated she observed blood on Suspect Martin's face and arms.

Deputy Boehme sustained scratches and bruises to her arms and a bump on her head from hitting the wall. She reported her use of force to Sergeant Stanley.

> **IAB Note: Refer to a copy of Deputy Boehme's supplemental report, Exhibit A, for further details.**

DEPUTY GABRIEL BARLOW, Employee [redacted] was interviewed on December 11, 2010, by Internal Affairs Bureau Sergeants Irma Chevalier and Frank Quichocho. The interview took place at Santa Clarita Sheriff's Station and was digitally recorded. The following is a summary:

Deputy Barlow stated he was leaving the Detective Bureau building when he heard emergency radio traffic regarding a foot pursuit which began at the Barnes & Noble across the street from the station. The suspect (Suspect Martin) was described as a black male wearing a checkered shirt running into the apartment complex located next to the sheriff's station.

Deputy Barlow saw several patrol units responding to the apartment complex. He heard a female voice over the radio say, "Get on the ground." He did not hear an exact location broadcasted over the radio. After driving into the driveway of the apartment complex, he drove approximately 30-45 seconds when he parked his vehicle behind another patrol car on the far west side of the complex.

Deputy Barlow and another deputy ran south to the rear of the complex, then around a building east along the wall where he saw two deputies (from 50 feet away) in the bushes and one deputy was crouched down holding Suspect Martin's upper body.

Deputy Barlow said there was 3-4 deputies standing off to the side. Deputy Barlow turned and noticed one of the deputies, Deputy Craft, was bleeding from his head. He believed the other deputies with Deputy Craft were checking on him.

When Deputy Barlow approached the bushes, he saw Deputy Boehme crouched at

Suspect Martin's feet. Suspect Martin was lying on the ground handcuffed. He was jerking his body around and kicking. Deputy Barlow stated the location was approximately 200 feet from where he parked his vehicle.

Deputy Barlow saw Deputy Boehme trying to control Suspect Martin's feet. She looked exhausted and out of breath. Deputy Barlow told Deputy Boehme to stand back and take a break. Deputy Barlow grabbed Suspect Martin's feet and wrapped his arms around Suspect Martin's legs (described as a "bear hug") to control and hold him against the ground with his body weight. Deputy Barlow asked someone to grab a hobble restraint. Deputy Boehme applied the hobble restraint to Suspect Martin's ankles.

Deputy Barlow said he and another deputy picked up Suspect Martin out of the bushes and carried him over to a grassy area. Deputy Barlow placed Suspect Martin on his right side and stayed with him while the Paramedics conducted their medical examination.

Deputy Barlow reported his use of force to Sergeant Stanley.

> **IAB Note: Refer to a copy of Deputy Barlow's transcribed interview for further details.**

DEPUTY [redacted] Employee #[redacted] stated in his supplemental report that he responded to the "Northglen Apartments" in regards to an assistance request of deputies involved in a fight.

When Deputy [redacted] arrived at the rear of the apartments, he saw Deputies Craft, Boehme and [redacted] on the ground struggling with Suspect Martin. Suspect Martin was handcuffed and kicking at the deputies with both legs.

Deputy [redacted] used his right knee to pin Suspect Martin on the ground by applying pressure on his left shoulder area. Deputies were then able to apply the hobble restraint to Suspect Martin's ankles.

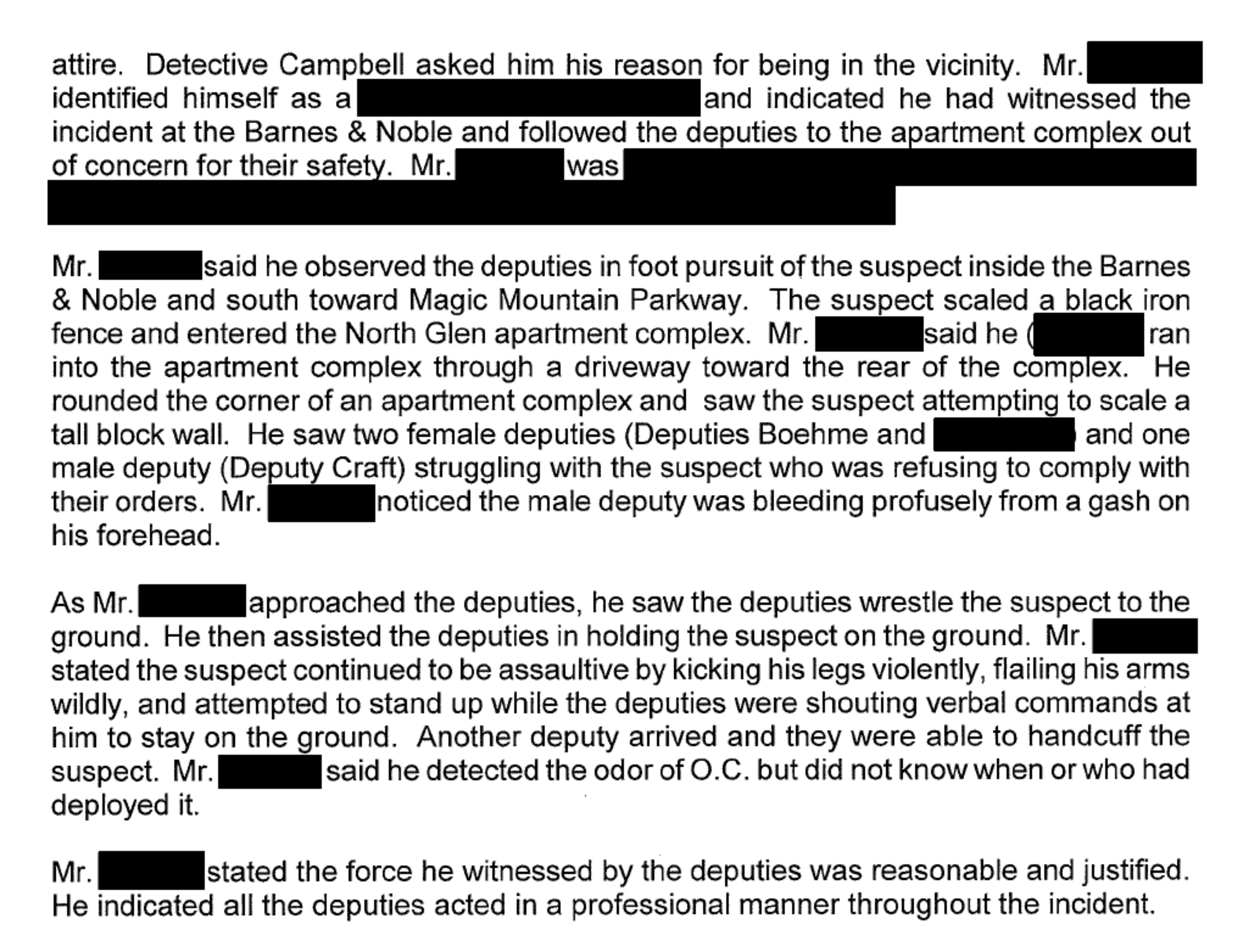
Deputy [redacted] reported his use of force to Sergeant Stanley.

> **IAB Note: Refer to a copy of Deputy [redacted]s supplemental report, Exhibit "A", for further details.**

NON-DEPARTMENT WITNESS STATEMENTS:

WITNESS [redacted] was interviewed telephonically on December 13, 2010, by Detective David Campbell Employee #[redacted] The following is a summary:

Mr. [redacted] was contacted by Detective David Campbell at the terminus of the foot pursuit at the North Glen Apartments. Mr. [redacted] is an older adult male and was wearing civilian



attire. Detective Campbell asked him his reason for being in the vicinity. Mr. [redacted] identified himself as a [redacted] and indicated he had witnessed the incident at the Barnes & Noble and followed the deputies to the apartment complex out of concern for their safety. Mr. [redacted] was [redacted]

Mr. [redacted] said he observed the deputies in foot pursuit of the suspect inside the Barnes & Noble and south toward Magic Mountain Parkway. The suspect scaled a black iron fence and entered the North Glen apartment complex. Mr. [redacted] said he ([redacted] ran into the apartment complex through a driveway toward the rear of the complex. He rounded the corner of an apartment complex and saw the suspect attempting to scale a tall block wall. He saw two female deputies (Deputies Boehme and [redacted] and one male deputy (Deputy Craft) struggling with the suspect who was refusing to comply with their orders. Mr. [redacted] noticed the male deputy was bleeding profusely from a gash on his forehead.

As Mr. [redacted] approached the deputies, he saw the deputies wrestle the suspect to the ground. He then assisted the deputies in holding the suspect on the ground. Mr. [redacted] stated the suspect continued to be assaultive by kicking his legs violently, flailing his arms wildly, and attempted to stand up while the deputies were shouting verbal commands at him to stay on the ground. Another deputy arrived and they were able to handcuff the suspect. Mr. [redacted] said he detected the odor of O.C. but did not know when or who had deployed it.

Mr. [redacted] stated the force he witnessed by the deputies was reasonable and justified. He indicated all the deputies acted in a professional manner throughout the incident.

<u>IAB Note</u>: For a copy of Detective Campbell's supplemental report, refer to Exhibit A.

<u>SUSPECT STATEMENTS</u>:

SUSPECT SHAWN MARTIN, Booking #2574099, was interviewed on December 16, 2010, by Internal Affairs Bureau Sergeant Teri Roberts. The interview took place at the Henry Mayo Newhall Memorial Hospital in Valencia and was digitally recorded. The following is a summary:

Suspect Martin stated he panicked when he saw the deputies in the Barnes & Noble and began to run. He believed a citizen tried to kick him in the back of his leg to stop him from running. Suspect Martin said he lost his balance but he continued running out of the Barnes & Noble store and made it across the street to the apartment buildings. When he reached a block wall, he tried to pull himself over but couldn't because he was too tired. He turned around and noticed a female deputy approaching him with her weapon drawn. She ordered him to get on the ground.

Suspect Martin was on the grass when he placed both of his hands out and went down to one knee. When he was dropping his other knee, a second deputy arrived. They grabbed him by his wrist. The female deputy punched him in the face (both eyes, nose, forehead, jaw) several times. After he laid face down on the ground, they kept telling him to stop resisting and place his hands behind his back. Suspect Martin said he was not resisting and tried to place his hands behind his back but someone kept pulling his hand out. Finally, he was able to place one hand behind his back and someone else grabbed his other hand and pulled it out from under him.

Suspect Martin said he was screaming and "getting beat" from all angles. He was kicked in the front and left side of his rib cage area a couple of times and kicked in the right hip. He was also kicked in the right jaw area behind his ear lobe and kicked in the legs a couple of times.

He told a deputy who was wearing a pullover Sheriff's shirt to stop and asked why they were doing this. Suspect Martin told the deputy he was not resisting. The deputy said "they hadn't even begun." The deputy then punched Suspect Martin in the eye.

Suspect Martin indicated someone punched him in the jaw. As he was laying flat, he tried to place one arm around onto his back to show them that he was not resisting. When he looked back over his shoulder, someone was standing up above him. His legs were pinned down above him with a nightstick. He was then struck three times in the back of the leg with the nightstick.

Suspect Martin felt pain. His hands were then placed behind his back. Suspect Martin said someone else came up and pepper sprayed him in the mouth and in his eyes. Suspect Martin said his face was on fire. He then heard someone say something about a hobble and his legs were tied up. The Paramedics arrived and Suspect Martin was transported to the hospital.

Suspect Martin denies kicking or inflicting injuries on any of the deputies. He stated that he knows "better than to fight back with officers of the law. It's counterproductive."

At the conclusion of the interview, photographs were taken of Suspect Martin's injuries.

> **IAB Note: For photocopies of Suspect Martin's injuries taken by Sergeant Roberts at Henry Mayo Newhall Memorial Hospital in Valencia, refer to Exhibit F.**